GOVERNMENT OF INDIA
URBAN DEVELOPMENT AND POVERTY ALLEVATION
LOK SABHA

UNSTARRED QUESTION NO:4746
ANSWERED ON:19.12.2000
ALLOTMENT OF HOUSES
TRILOCHAN KANUNGO

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVATION be pleased to state:

(a) whether the Government have prescribed norms for the allotment of houses to political parties, VIPs, freedom fightersand other categories; and

(b) if so, the details thereof alongwith the details of houses allotted to the above categoires in NCT of Delhi so far?

Answer

MINISTER OF STATE FOR URBAN DEVELOPMENT & POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA)

(a)&(b): The guidelines for discretionary allotment of accommodation from General Pool has been laid down vide Policy OMdated 17.11.97 and the subsequent modification made vide OM dated 28.7.2000. As regards political parties, the policy guidelines have been issued on 20.7.2000 and 22.9.2000. Copies of these guidelines are annexed to this reply as Annexure I to IV. The details of allotments made under these guidelines since 1.1.2000 are as under:

(i)	Medical Grounds	:	25
(ii)	Functional grounds	:	87
(iii)	Political Parties	:	06
(iv)	Freedom fighters	:	03

Annexure-I

Copy of the O.M.No.12035/2/97-Pol.II(pt.II) dt.17.11.2000 regarding Guidelines for discretionary allotment of General Pool Residential Accommodatrion in Delhi.

Under the provisions of the SR 317-B-25, the Govt.for reasons Allotment Rules in case of any officer or residence or class of officers or type in relaxation of rules, depending upon the merits of each case, with the approval of the competent authority. However, in view of the increasingly large number of out-of-turn allotments, a Writ Petition(Civil) No.585/94 (S.S.Tiwari Vs Union of India)was filed by way of Public Interest Litigation in the Supreme Courtof India. The Hon`ble Supreme Court, in its final order dated 23.12.96, directed the Govt. that discretionary/out-of-turn allotments be regulated and transparency maintained by framing appropriate rules in this regard which may also be duly notified. The Supreme Court also directed that the ceiling of discretionary allotments shall be 5% of the total number of vacancies occuring in each type of houses in a year.

2. Accordingly, the matter has been considered by the Govt. and it has been decided to lay donw detailed guidelines which will regulate the discretionary allotments of Govt. accommodation in future. Discretionary allotments to serving Govt. officials shall be permitted only on medical security and functional grounds. Such allotments on medical, seurity and functional grounds which are not covered under general policy instructions (Annedure-III),shall be made through two Committees of officers duly constituted for the purpose, which shall considered each request within laid down policy guidelines. The composition of two Committees shall be as under:

(A) Allotment of Type-IV (Spl.) and above type of accommodation (including hostels)

(i) Secretary, Urban Development.....Chairman

(ii) Secretary, Personnel.....Member

(where the proposal involve
Addl. Secretaries & equivalent or above)

OR
Establishment Officer

(where proposals involve Deputy Secretaries/Directors, Joint Secretaries and equivalent or Tenure Pool Officers).

(iii) Joint/Addl. Secretary.....Member

(in-charge of Estate matters)

(iv) Two Medical Experts.....Members

(for medical cases only)

(v) One Secretary/Addl. Secretary level officer
co-opted from other ministries.....Member

(vi) Director of Estates.....Member Secretary

(b) Alotment of type-IV and below type of accommodation

(i) Joint Secretary (dealing with the subject).....Chairman

(ii) Joint Secretary (Staff Welfare).....Member

(iii) Two Medical Experts.....Members

(for medical cases only)

(iv) Director of Estates.....Member

(v) One Joint Secretary level officer.....Member
co-opted from other ministries.

(vi) Addl. Director of Estates/.....Member Secretary
Director of Estates-II

+ Note : One officer of approptiare rank, such as Secretary/Addl. Secretary to the Govt. of India from Ministries other than Ministry of Urban Affairs & Employment or

personnerl, Public Grievances & Pensions shall be specifically invited. While extending such invitation, it will be ensured that the representative of those Ministiriries/Departments whose proposals are on the agenda of the meetings are not invited. Such a mimber shall be co-opted from various ministries by following a principles of rotation.

3. Proceedure/guidelines to be followed:

(i) The committee shall meet at least once in three months to consider all applications received through proper channel. The requests in the case of Dy. Secretaries and above should be specifically recommended by the Secretary of the Deptt. concerned and by the Joint Secretary (Administration)/Head of the Deptt. in all other cases.

(ii) The Committee shall consided discretionary allotments in the next below type of the entitlement of the officials concerned.

(iii) The Committee, while recommending allotment to the compttent authority (I.e. Minister in-charge) shall make a speking recommendation in each case, giving specific reasons for discretionary allotment. Where the Minister differs from the recommendation of the Committee, he will also record the reasons therefor in writing.

(iv) The detailed guidelines for priority allotment of Govt. accommodation on medical grounds within the overall ceiling of 5% of all types of discretionary allotments in each type in a year are in Annexure-I.

(v) The discretionary allotment on security grounds may be made within the overall ceiling of 5% on fulfilment of terms and conditions given in Annexure-II.

(vi) The priority allotment on functional grounds, as specified in Annexure-III, shall be made by the Directorate of Estatesw within the quota prescribed for each category of dignitaries and the overall ceiling of 5% without referring them to the committees constituted in para 2 above as discretion in such cases in involved.

(vii) The Committees may also consider and recommended for allotment of residential accommodation to any other case of serving govt. officials, not falling under any of the categories mentioned above, on extreme compassionate grounds. Such allotments shall, however, be restricted to a total of not more than 5 houses in each type (Type-I to V only) in a year, within the overall ceiling of 5% of each such type in a year.

4. Allotment to private individuals/non-governmental organisations:

The allotments made to private persons such as eminent artists, persons of outstanding merit engaged in works of national standing or national award winners in the field of science sports or social services and non-governmental organisations/institutions will be valid only upto the end of the current allotment period. The non-governmental organisations will not be eligible for allotment of govt. residential accommodation not considered, except in national interest or to meet international obligations with the approval of the Cabinet Committee on Accommodation. Similarly, discretionary allotment to private individuals/non-government persons, including fredom fighters, shall be allowed only with the approval of the CCA, if it is considered necessary in national interest or for meeting international obligations. The widows of freedom fighters will be allowed to retain Govt. accommodation only for a period of six months after the demise of the alottees.

5. All the aforesaid types of discretionary allotments shall be made by the govt. within the overall ceiling of 5% of vacancies occuring in each type of houses in a calender year and, under no circumstances, such allotments shall exeeced such ceiling.

6. The Dte. of Estates shall circulate the list of all such allottees to the various Govt. Deptts. on a quarterly basis and an yearly statement of such allotments would be laid on the Table of each House of Parliament in the light of the Supreme Court`s directions.

7. These orders supersede all previous orders issued by the Govt. regarding out-of-turn/ad-hoc/discretionary allotments on medical functional and security grounds and for allotment to non-government persons such as freedom fighters, eminent artists, social workers etc., and non-governmental organisations/institutions.

8. These orders shall come into force with immediate effect.

Sd/-

(R.D. Sahay)

Annexure referred to in para 3
(iv) of the O.M.No.12035/2/97-Pol.II(pt.II
dated 17.11.97

Medical Grounds

The alotment on medical grounds including ground floor/central area shall be made in the case of the Govt. Servants and their spouses, dependent children and dependent parents, suffering from any of the following diseases:

(a) Tuberculosis: Pulmonary tuberculosis (serious cases only):

(b) Cancer Cases: Malignant neoplasm:

(c) Heart ailments: Of an exceptionally serious nature and in need of urgent treatment.

(d) Disabled persons:

(i) Blind- Those who suffer from either of the following conditions:

(1) Total absence of sight;

(2) Visually Acuity not exceeding 6/90 or 20/200 (snellen) in the better eye with correcting lenses;

(3) Impression of the field of vision subtending an angle of 20 degrees or worse.

(ii) Deaf: Those having hearing loss of more than 90 decibles in the better ear(profound impairment) or total loss of hearing in both ears.

(iii) Orthopaedically handicapped: To the extent of 40% and above disability.

(iv) Mentally handicapped/spastic dependents.

Note:

(1) The list of disease on the basis of which discretionary allotment may be considered as above, is not an exhaustive one. The committees may consider any other life threatening diseases or other serious disabilities causing premanent impairment, for this purpose.

(2) In cases where disability of dependent parents is the sole ground for asking for discretionary allotment, the Committees should consider the facts and circumstances along with merits of each case carefully, beofore making their recommendations.

Annexure referred to in para 3
(v) of the O.M.No.12035/2/97-Pol.II(pt.II) dated
17.11.97

Security grounds:

Discretionary allotment on Security grounds may be made subject to the following conditions:-

(i) The general pool accommodation shall be allotted to only those persons who are in the Z+(Z Plus) or higher security category;

(ii) There must be a clear nexus with the public interest to justify the allotment of general pool accommodation such persons. Ministry Government accommodation to a person in the Z+ or higher security category is in public interest and the security threat to the person has emanated from the duties performed in public office held by him in the past. Ministry of Home Affairs should also opine whether it is ablolutely necessary to provide the person concerned a house in Delhi;

(iii) On receipt of a request from the persons concerned for allotment of Government accommodation on security grounds, Ministry of Home Affairs will carry out an exercise to asscertain whether a person in the Z+ security category owns an house in Delhi in his or spouse`s name and whether security arrangements can be provided in that house itself;

(iv) Further action to provide a Govt. accommodation to the protectees in Delhi shall be taken by the Dte. of Estates, based on the recommendations of the Ministry of Home Affairs. The allotment shall be for a period of one year and can be extended for a further period of one year at a time, subject to CCA being satisfied

about the need for extension, based on the threat preception to be reviewed by Ministry of Home Affairs at least once in every year;

(v) Not higher than Type-VI accommodation shall be allotted to such protectees and it could be even lower depending upon the category of the protectee and the threat perception in individual cases;

(vi) The applicant shall confirm his willingness/capacity to pay the market rent/special licence fee in advance and continuous default in payment of prescribed rent for three months or more would render him liable for eviction;

(vii) Market rate of licence fee shall be charged for the Government accommodation so allotted to a protectee. In case the protectee has a house in Delhi, he must surrender the same to the Government for the period of his occupation of Govt. accommodation. In such cases special licence fee shall be charged for the period of occupation of Government accommodation instead of market rent.

ANNEXURE REFERRED TO IN PARA 3 (VI) OF THE O.M. NO. 12035/2/97-POL.II(PT.II DATED 17.11.97.

FUNCTIONAL GROUNDS:

The personal Staff working with the Minsiters and with other degnitaries as specified below shall be allotted accommodation one type below their entitlement on the basis of the emoluments prescribed on the crucial date in the relevant allotment year. However, PS to Prime Minister/Minister shall be eligible for allotment of Govt. accommodation as per their entitlement on the crucial date subject to availability. The allotment of accommodation to the personal staff of the various dignitaries shall be made within the overall ceiling of 5% of vacancies in respect of each type of houses occuring in a year. The personal staff working with the following authorities shall be eligible for priority allotment:

1) Key personnel in Prime Minster`s Office based on the recommendations made at a level not below the Jt. Secretary in charge of Administration in the Prime Minister`s Office.

2) PERSONAL STAFF ATTACHED TO MINISTERS:

(i) Cabinet Ministers/Ministers of State : Three members of the personal staff

(other than Gr. `D`) and one Jamadar/Peion. In addition, one Group `D`) may be given change of accommodation as recommended by the Minister.

(ii) dy. Ministers/Parliamentary Secretaries: Two members of personal staff (other than Gr. `D`) and one jamadar/Peon. In addition, one Group `D` may be given change of accommodation as recommended by the Minister.

Such allotments would be subject further to the following conditions:

(a) Such priority allotments have not already been made to the personal staff on the recommendations of the Minster, Deputy Minister or Parliamentary Secretary.

(b) No fresh sanction for such allotment would be made with the change in the portfolio of the Minister, etc. if those members of the staff who have been allotted general pool quarters on the above basis on his recommendation, continue to be with the Minister.

(c) In case of a new Minister, if none of the members of his personal staff have been allotted accommodation on his recommendation, irrespective of whether some members of the personal staff are in occupation of general pool accommodation, priority allotments may be made on his recommendation restricting the numbers as prescribed above.

(d) If the portfolio of the Minister is changed or if the Minsiter demits office and is thereafter appointed as Minister in the same ministry or in another Ministry in case those members of his personal staff who have been allotted general pool accommodation earlier continue to be in his personal staff and the quota indicated above has been exhausted , no further priority allotment or change of allotment is to be made.

3) Key personnel in Cabinet Sectt.: Key officials of Cabinet Sectt. (Main) with responsibility relating to meeting of the Cabinet/Cabinet Committees/Committee of Secretaries as recommended by the Joint Secretary in - charge of Administration in the Cabinet Sectt.

4) Leaders of Opposition in the Lok Sabha/Rajya Sabha: Three members of personal staff (other than Gr.`D`) and one Jamadar/Peon.

5) Chairman/Dy. Chairman, Rajya Sabha, Speaker/Dy/ Speaker, Lok sabha/Chief Justice of India/Dy. Chairman, Planning Commission: Three members of personal Staff (other than Gr. `D`) and one unit for jamadar/Peon.

6) Judges of Supreme Court/Members of Planning Commission : Two units for personal staff (other thanb Gr. `D`) and one unit for Jamadar/Peon.

7) Chief Election Commissioner/election Commissioners/Secretaries to Govt. of India: Two units for personal staff (other than Gr.`D`) and one unit Jamadar/Peon.

8) A maximum of two persons from personal staff of each of the former Presidents, Vice-Presidents and Prime Minsters may be provided with discretionary residential allotments from the General Pool in Delhi, provided the dignitaries are residing in Delhi.

Note: The allotment of accommodation may be made in a central area, subject to availability. However, no personal staff shall be entitled to more than one change, which would form part of `in-turn change` allotment after due enlistment on the change waiting list.

ANNEXURE-II

NO. 12035/2/97-Pol.II
GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION
DIRECTORATE OF ESTATES

NEW DELHI, THE 28TH JULY, 2000

OFFICE MEMORANDUM

Sub: Review of guidelines for discretionary allotment of general pool residential accommodation in Delhi.

The undersigned is directed to say that guidelines for discretionary allotments of Genral Pool accommodation have been circulated vide this Direcotrates` OM of even number dated 17.11.1997. The guidelines have been reviewed and it has now been decided as under:

i) All categories of personal staff attached with various degnitaries shall be allotted allotted accommodation one type below their entitlement. Priority allotments shall be made as per the waiting list maintained on the basis of the date of sanction.

ii) Within the group under
(i) above specific cases for over riding priority would
be decided by the CCA.

(iii) An annual quota of 20 residential units may be earmarked for priority allotment to the officers working in the Prime Minister`s Office. These units shall be in addition to the number of units to be allotted to the personal staff attached to the Prime Minster.

(iv) An annual quota of ten residential units may be provided for allotment to the key officials working in Cabinet Sectt. and this number should not be exceeded at any given point of time.

(v) A quota of 15 residential unitss may be earmarked for allotment on priority basis to the key officials working in the Vice Presidents`s Sectt.

(vi) Descretionary quota in respect of Chief Justice of India may be increased to seven units against the existing quota of four units.

(vii) Two units for personal staff (other than Group `D`) and one unit for Jamadar/Peon may be allowed for priority allotment to the personnal staff attached with the CAG of India, Attorney General of India, Chairman, UPSC and Chief Vigilance Commissioner.

(vii) The personal staff/key officials eligible for priority allotment on functional basis shall be eligible to accept `two below category` of accommodation within the overall ceiling prescribed, and still remain in consideration for priority allotment of `one below category.

2. All other terms and conditions of the policy OM dated 17.11.1997 will remain

sd/-

(MAHENDRA SINGH)
DEPUTY DIRECTOR OF ESTATES

ANNEXURE-III

NO. 12014/2/96-POL.II
GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION
DIRECTORATE OF ESTATES

NEW DELHI,THE 20TH JULY,2000

OFFICE MEMORANDUM

Sub: Revised guidelines for allotment of Govt. accommodation from General Pool to the Political Parties.

The undersined is directed to say that the Supreme Court in its order dated 23.12.96 in Writ Petition (Civil) No. 585/94 had directed to frame revised guidelines for allotment of Govt. accommodation to the Political Parties. The following guidelines have been approved by the Government:

(i) The national Political Parties, which have been recognised as such by the Election Commission of India, shall be allowed to retain/secure allotment of one housing unit from Genral Pool in Delhi for their office use on paymenbt of licence fee under FR 45 A, i.e. the normal licence fee.

(ii) The said accommodation will be provided for a period of three years during which the party would acquire a plot of land in an institutional area and will construct its own accommodtion for party office.

(iii) One residential accommodation would be allotted/allowed to be retained by the party President of recognised national party in case the president does not have a house in Delhi, either of his own or allotted by Government in any other capacity.

(iv) The facility of office accommodation will also be given to the State level parties recognised by the Election Commission o India Provided it has, in the opinion of the Accommodation Committee of Cabinet, adequate representation in Parliament and its case for allotment is approved by the CCA on its merit.

(v) The other buildings allotted or in occupation of any political party stand cancelled. however, a period of six months or up to the time the allotment has been made, whichever is earlier would be given to the party to make alternate arrangement and vacate the Government accommodation.

2. All the allotment sections are requested that further necessary action may be taken accordingly.

3. These guidelines shall be effective from 22.2.2000.

4. These orders are issued in supersession of this Directorates` OM no. 12016/2/80-Pol II (vol.III) (xviii) dated 24.10.1985.

sd/-

(MAHENDRA SINGH)
DY. DIRECTOR OF ESTATES

ANNEXURE-IV

NO. 12035/16/2000-POL.II
GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION
DIRECOTRATE OF ESTATES

NEW DELHI, THE 22ND SEPTEMBER,2000

OFFICE MEMORANDUM

Sub: Allotment of accommodation in Vithalbhai Patel House to the staff of the Parliamentary Parties n both the two Houses of Parliament.

With a view to accommodate the staff employed for rendering assistance to the Parliamentary Group of the party in both the two houses of Parliament, it has been decided by the Govt. that allotment/retention to such staff shall be governed as per the following criteria;

(i) Eight single rooms suites may be allotted/allowed to be retained by those parliamentary parties whose strength in Parliament is above 200.

(ii) Six single rooms suites or two double room siutes & single room siutes may be considered for retention/allotment to those parliamentary parties whose strength in parliament is 200 members or less but not less than 150 members.

(iii) Those parties which have less than 150 members in Parliament but not less than 50 members will be entitled to 2 single room suits in the V.P. House in future.

1. Addl. DE(LO (MP) are requested to undertake a review of the allotments made to various political parties in VP House as per the revised guidelines under intimation to policy division.

sd/-

(V.P. GUPTA)
DEPUTY DIRECTOR OF ESTATES